

Message Text

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ACTION AF-08

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FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 7193

INFO AMEMBASSY LONDON

LIMITED OFFICIAL USE NAIROBI 4099

E.O. 11652: N/A

TAGS: EINV, KE

SUBJECT: SAUL CLAIM

REF: NAIROBI 2100

1. TO ENSURE CONTINUING GOK MOTION ON SAUL CASE, DCM AND ECONOMIC COUNSELOR CALLED ON LEONARD KIBINGE, PERMANENT SECRETARY, MINISTRY FINANCE AND PLANNING. KIBINGE SAID HE HAD RECEIVED COPY OF MEMORANDUM DATED MARCH 1 FROM SHIELDS, ATTORNEY GENERAL'S OFFICE, ADDRESSED TO GEOFFREY KARIITHI, PERM SEC, PRESIDENT'S OFFICE, RECOMMENDING EARLY MEETING AMONG SHIELDS, KARIITHI, KIBINGE, AND OMINO, PERM SEC, MINISTRY POWER AND COMMUNICATIONS.

2. EMBOFFS SUGGESTED EFFECTIVENESS OF MEETING MIGHT BE INCREASED IF GOK PARTICIPANTS WOULD INVITE SAUL'S LAWYER TO MAKE PRESENTATION. IN RESPONSE TO AMBASSADOR'S INITIATIVE (REFTEL). KARIITHI HAD PREVIOUSLY TOLD AMBASSADOR HE THOUGHT ARONSON SHOULD HAVE OPPORTUNITY TO PRESENT HIS CASE ORALLY AT SUITABLE LEVEL (KARIITHI'S). ARONSON, HOWEVER, NEVER HEARD THEREAFTER FROM KARIITHI REGARDING A DATE, DESPITE KARIITHI'S STATEMENT TO AMBASSADOR THAT HE WOULD RING ARONSON QUOTE RIGHT AWAY UNQUOTE.

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3. KIBINGE INDICATED TO EMBOFFS HE HIMSELF WOULD CONSIDER INVITING ARONSON TO GOK GROUP MEETING WHICH HE THOUGHT WOULD BE CONVENED SOON IN RESPONSE TO SHIELD'S MEMO, BUT MADE NO COMMITMENT. HE DOUBTED GOK WOULD ADOPT SAUL'S JOINT-VENTURE PROPOSAL, HE SAID, BECAUSE FEELINGS AGAINST SAUL REMAINED HIGH WITHIN GOK. HE SUGGESTED GOK WISHED TO TERMINATE SAUL'S

INVOLVEMENT IN KENYA, WHICH HE REALIZED WOULD HAVE TO INCLUDE REACHING SETTLEMENT. WITHOUT EXPRESSING HIMSELF ABSOLUTELY, HE SEEMED OF OPINION THAT FAIREST PROCEDURE FOR ALL CONCERNED WOULD BE TO LET HIGH COURT DECIDE WHETHER AMOUNT GOK HAD OFFERED TO SAUL WAS ADEQUATE. IF DEPARTMENT OPPOSES HIGH COURT AS ROUTE TO SETTLEMENT, WE WOULD APPRECIATE RECEIVING ARGUMENTS AGAINST, SINCE WE BELIEVE IT WILL BE HARD TO REFUTE REASONABLENESS THIS SOLUTION SHOULD GOK PURSUE IT.

DECON 3/31/78.

MARSHALL

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